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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION CORPORATION, Plaintiff-Applicant, v. BERNARD L. MADOFF INVESTMENT SECURITIES LLC, Defendant.	SIPA LIQUIDATION Adv. Pro. No. 08- 01789 (BRL) (Substantively Consolidated)
In re: BERNARD L. MADOFF INVESTMENT SECURITIES LLC, Debtor.	
IRVING H. PICARD, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, Plaintiff, v. SONJA KOHN, et al., Defendants.	Adv. Pro. No. 10- 5411 (BRL) No. 11 Civ. 1181 (JSR)

**DEFENDANT ALESSANDRO PROFUMO'S NOTICE OF MOTION TO
DISMISS COUNTS 1, 2, 20, 21 AND 22 OF THE AMENDED COMPLAINT**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law and all the papers filed and proceedings had herein, Alessandro Profumo hereby moves this Court before Hon. Jed S. Rakoff, at the United States Courthouse, 500 Pearl Street, New York,

New York, for an order dismissing with prejudice Counts 1, 2, 20, 21 and 22 of Amended Complaint.¹

In accordance with the schedule set by the Court, moving papers from Profumo will be filed and served by July 25, 2011; opposition papers from Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC and the Securities Investor Protection Corporation, shall be filed and served by August 29, 2011; reply papers from Profumo shall be filed and served by September 12, 2011; and oral argument before the Court will be held on Thursday, September 19, 2011, at 4:30 P.M.

¹ Profumo does not hereby submit to the personal jurisdiction of this Court, and makes only those arguments permitted by the Court's order of limited withdrawal, which does not allow him to raise all arguments that he would expect to make or be required to raise at this procedural stage under Rule 12. Accordingly, Profumo makes this motion without waiving any rights, arguments or defenses, including his right to contest personal jurisdiction.

WHEREFORE, Profumo respectfully requests that the Court enter an order granting the relief requested herein, and such other and further relief as the Court deems just and proper.

Dated: July 25, 2011
New York, New York

Respectfully submitted,

CURTIS, MALLET-PREVOST,
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